

2001 M STREET NW
10th Floor
WASHINGTON, DC 20036



WWW.WILKINSONWALSH.COM

A LIMITED LIABILITY PARTNERSHIP

March 26, 2020

VIA ECF FILING & EMAIL

Hon. James K. Bredar, Chief Judge
United States District Court
District of Maryland
101 West Lombard Street
Baltimore, Maryland 21201

Re: U.S. v. Erica Cook, JKB-16-485; Supplemental Letter in Support of Emergency Motion, ECF 1731

Dear Judge Bredar:

We write on behalf of Defendant Erica Cook to supplement her Emergency Motion to Enforce Order and/or to Modify Judgment and Grant Immediate Release, ECF 1731, which was filed this morning.

Since filing Ms. Cook's motion, undersigned counsel has learned that a resident at Volunteers of America Residential Re-Entry Center ("VOA"), and client of the Federal Public Defender's office, was taken to the hospital after exhibiting symptoms consistent with COVID-19, including a fever and an upper respiratory infection. Although that resident was not tested at the hospital for COVID-19, he/she has a suspected case of COVID-19 and has been ordered to quarantine. Because he/she is unable to quarantine at VOA, VOA is releasing the resident immediately and the Federal Public Defender's office is scrambling to find a location where he/she can do so. It has also been reported by other residents at VOA to various counsel that at least five other VOA residents have been taken to the hospital in the last twenty-four hours.

This is a crisis. There is little doubt that some residents at VOA have or will soon contract COVID-19. Therefore, the absence of a formal diagnosis, particularly given the nation's lag in testing, should not factor into consideration of any relief. Ms. Cook's Eighth Amendment rights are being violated and have been since this Court ordered her immediate release—an order that was not executed upon by the Department of Justice or Bureau of Prisons. Ms. Cook has been a model inmate who is eligible for relief to home confinement in less than a month. She is a model candidate for relief during this crisis.

The situation at VOA could not be more urgent and only becomes worse by the hour. This is not the time for the government to stand on procedural arguments—none of which preempt the Eighth Amendment. Ms. Cook respectfully requests that this Court order her immediate release to rescue her from the dangerous and deteriorating conditions at VOA.

Sincerely,



Dated: March 26, 2020

Brian L. Stekloff
Aleshadye Getachew
Hayter L. Whitman

Wilkinson Walsh LLP
2001 M Street NW, 10th Floor
Washington, DC 20036
Telephone: (202) 847-4000